



COLORADO

Department of Public
Health & Environment

February 17, 2021

Scott Vargo, County Mgr
Summit County
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RE: Adequacy of Response to Inspection Findings
Swan River Resource
CDPS Permit Certification - COG501752

To whom it may concern:

The Water Quality Control Division (the division) forwarded a Compliance Advisory with an enclosed Stormwater Inspection Report (inspection report) to Summit County (the permittee) on January 13, 2021. The inspection report documented findings identified during a division inspection conducted at Swan River Resource on October 30, 2020. In the Compliance Advisory, the division required that the permittee submit a response to the inspection report to document the corrective action(s) implemented for each finding. The response was due to the division by January 27, 2021; the division received the response on January 22, 2021, with a follow up response on February 15, 2021.

Upon review, the division has determined the response provides the required follow-up information to the inspection findings. Therefore, based on information contained in the permittee's response there is no evidence of continued noncompliance associated with findings in the inspection report. At this time the division does not intend to include the period following the permittee's corrective actions in penalty calculations based on the inspection findings. However, if the division from follow-up inspection findings or additional information submitted identifies any continued or new permit violations, the division may reevaluate this determination and is not precluded from pursuing enforcement options, including pursuing additional penalties, concerning such violations.

This Compliance Advisory is intended to advise the Summit County of potential violations of the Colorado Water Quality Control Act, its implementing regulations and permits so that appropriate steps can be taken to avoid or mitigate formal enforcement action or to correct our records (if applicable). This Compliance Advisory does not constitute a Notice of Violation or Cease and Desist Order and is not subject to appeal. The issuance of this Compliance Advisory does not limit or preclude the division from pursuing its enforcement options concerning the potential violation(s). The division will evaluate the facts associated with the potential violation(s) and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation / Cease and Desist Order that may include the assessment of penalties.

All discharges authorized by the CDPS General Permit for Discharges from Sand and Gravel Mining and Processing (and Other Nonmetallic Minerals Except Fuel) (COG500000) (the permit) must be consistent with all requirements, and terms and conditions of the permit. A violation of the terms and conditions specified in this permit may be subject to civil and criminal liability pursuant to sections 25-8-601 through 612, C.R.S. Correcting a permit violation does not remove the original violation.

If you have any questions, please call me at (720) 507-7983.





Al Stafford
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WATER QUALITY CONTROL DIVISION

cc: Permit File
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